

**Amendments to the Drawings:**

Attached hereto is **Appendix A**, which includes a Submission of Proposed Drawing Amendment for Approval by Examiner and a marked up copy of Figure 1 showing proposed changes.

**REMARKS/ARGUMENTS**

Claims 1-5 remain herein. New claims 6-22 are added hereby.

Claims 1-5 were rejected under 35 U.S.C. 103(a) over U.S. Patent No. 4,684,071 (Dicky '071).

Claim 1 recites a screening apparatus which includes a screen frame, and a plurality of banks of blades. Each bank has a plurality of evenly spaced blades arranged in a row and rotatable about a respective axis. The axes are parallel to each other, and adjacent banks of blades are axially offset relative to each other. At least one of the banks of blades is linearly slidable along its axis of rotation to provide a predetermined amount of axial freeplay.

In the embodiment depicted in Figs. 1-4 of the present application, the screening apparatus includes a screen frame 12 and a plurality of banks of blades 16A-16E. Each bank has a plurality of evenly spaced blades 20A-20E, respectively. At least one of the banks of blades is linearly slidable along its axis of rotation.

Dicky '071 discloses a machine comprising a frame 12 which houses a pair of in-feed drive shafts 14 and 14, each of which carries a plurality of "star" wheels 15 (Dicky '071, column 2, lines 5-10). The shafts 14 and 14 are driven to rotate in opposite directions so as to grip upon and drag down objects to be shredded, which are thereby punched down into shredder rolls 26 and 26 which are driven to rotate in opposite directions (Dicky '071, column 2, lines 15-22). The shredded materials fall into a classifier compartment which includes a pair of classifying units 28 and 30 (Dicky '071, column 2, lines 27-31). Each classifier unit comprises a gang of parallel disposed shafts 32 carrying discs 34, and shredded materials of designated particle sizes falling therethrough onto a chute 37 leading to a take-away conveyor 38 (Dicky '071, column 2, lines 32-29). Oversize particles remaining on top of the classifier

units drift transversely and then fall into a return elevator 40 (Dicky '071, column 2, lines 39-42). The discs 34 which are carried by those shafts 32 which are intermediate to the outside shafts 32a are canted relative to the axes of rotation of the shafts 32 (Dicky '071, column 3, lines 5-9). The discs on adjacent shafts are canted in opposite directions (Dicky '071, column 3, lines 9-10). All of the shafts of each unit are driven to rotate in the same direction (Dicky '071, column 3, lines 12-14). According to Dicky '071, whereas the system shown in Figs. 1 and 2 includes a pair of separate classifying units, only one or any number of units may be employed (Dicky '071, column 3, lines 57-60).

The January 27, 2005 Office Action includes a statement that in Dicky '071, there is "no mention of blade axial movement." The Office Action further includes a statement that "[h]owever, adjusting separators for a result of different sized material is well known in the art . . ." and "it would have been obvious . . . to modify Dicky by having at least one of the blade gangs axially movable."

The Applicants respectfully disagree with the position taken by the U.S. PTO that "adjusting separators for a result of different sized materials is well known in the art." The U.S. PTO has provided no evidence that such adjustment would have been obvious. Secondly, even if adjusting separators for a result of different size materials were well known, it would not follow that it would have been obvious to arrange the blades to move *axially*. The "adjusting separators" suggested by the U.S. PTO appears to be a reference to an ability to transversely adjust the spacing between the axes on which respective blades rotate. For example, with respect to the embodiment depicted in the present application, this would equate to adjusting the transverse distances between the respective banks of blades 16. However, this is not the feature recited in the present claims. Rather, the present claims recite

that at least one bank of blades is *linearly slidable along its axis of rotation* to provide a predetermined amount of *axial freeplay*. For example, in the embodiment depicted in Fig. 1, at least one of the banks of blades 16A-16E is linearly slidable along its axis, i.e., to the left and/or right in Fig. 1.

In addition, Dicky '071 does not contain any disclosure which would suggest providing axial freeplay in the classifying blades of the devices disclosed therein. It would appear that this rejection is based on an impermissible reconstruction of the present invention with the benefit of hindsight.

In addition, Dicky '071, column 3, lines 5-20 indicates that having discs 34 which are canted relative to the axes of rotation is important in order to shuffle material across the classifying screens. It is not clear whether this important feature would be maintained if axial freeplay were provided as defined in the present invention. Additionally, at column 3, lines 57-67, Dicky '071 suggests that the system may include a pair of separate classifying units where the spacing between the discs and their shafts of the respective units is varied, to permit larger particles to fall through an uppermost unit. Accordingly, Dicky '071 suggests the use of two units to handle particles of varying size. Such disclosure teaches away from the present invention, which facilitates the handling of materials of different sizes by the provision of the axial freeplay.

In view of the above, it is respectfully requested that the U.S. PTO reconsider and withdraw this rejection.

Favorable consideration of new claims 6-22 is respectfully requested. New claim 6 is directed to sets of plates positioned between the frame and respective banks of blades (in the embodiment shown in Figs. 1-4 of the present application, the plates are depicted with reference no. 26). New claim 7 includes the features recited in original claim 1 and further

includes recitation that the blades in each row lie in respective planes that are perpendicular to the axes (of rotation). This feature is exemplified in the embodiment depicted in the drawing figures, in particular, Figs. 1 and 4, which depict the blades 20 as lying in planes that are perpendicular to the axes of rotation 18. New claims 8-11 correspond with original claims 2-5, respectively. In contrast, in Dicky '071, the blades on the shafts other than the outermost shafts are canted (i.e., diagonal relative to their shafts).

New claim 12 recites the features recited in original claim 1, and further recites that at least one bank of blades comprises a sleeve mounted on an axle having a longitudinal axis coincident with the axis of rotation of a corresponding bank of blades, the sleeve being rotational fixed to the axle and slidable linearly along the axle in order to provide a predetermined amount of axial freeplay. This feature is exemplified in the embodiment disclosed in the present specification (see page 5, lines 5-14). Dicky '071 does not disclose or suggest these physical features, which enable devices in accordance with the present invention to achieve axial freeplay. New claim 13 depends from claim 12 and recites further that the blades in each row lie in respective planes that are perpendicular to the axes (similarly to the new feature recited in claim 6). Claims 14-17 correspond with original claims 2-5 respectively. New claim 18 recites a method of screening particulate material as disclosed in the present specification, and claims 19-22 each depend from claim 18.

In view of the above, claims 1-22 are in condition for allowance.

If the Examiner believes that contact with Applicant's attorney would be advantageous toward the disposition of this case, the Examiner is herein requested to call Applicant's attorney at the phone number noted below.

The Commissioner is hereby authorized to charge any additional fees associated with this communication or credit any overpayment to Deposit Account No. 50-1446.

Respectfully submitted,

May 27, 2005

Date



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